

1 read this book and not be impressed by it, and not think  
2 it was worth the taxpayer's money, he said then you  
3 don't get your book. Either I get my book, or you don't  
4 get yours. And I went so noted. And we continued  
5 downhill from there.

6 I don't remember what else -- I remember my so  
7 noted because it was so theatrical, and it just came  
8 naturally.

9 The discussion continued.

10 Q. Let me ask you: Now you have described a situation  
11 where you are kind of surprised at the unfolding of the  
12 vote.

13 A. And then went from surprise to extreme anger.

14 Q. Were there any discussions in any executive session  
15 prior to this vote --

16 A. None I am aware of. Obviously, Bill had lined up his  
17 votes ahead of time over the telephone. But I certainly  
18 wasn't consulted. I walked into that meeting assuming  
19 he was still going to honor his pledge.

20 Q. Alan voted with you?

21 A. Yes.

22 Q. Tell me what you can about his reaction to Bill's  
23 stratagem?

24 A. He in no way, shape or form caved in. He in no way,  
25 shape or form indicated any willingness to cave in. He

1 was actually fairly quiet, but that is not uncommon for  
2 Board Presidents.

3 Board Presidents, as a general rule, speak last  
4 and speak sparingly. That's just sort of a tradition  
5 with Board Presidents.

6 Alan pretty much sat it out, but he never in any  
7 way, shape or form indicated -- I accused Bill of  
8 blackmail. It was actually extortion, but I got carried  
9 a way. And Alan indicated no willingness whatsoever to  
10 capitulate.

11 And finally after some long and at times heated  
12 discussions like especially if Bill and I were talking,  
13 Angie Yingling moved to reconsider the vote, which only  
14 a person who has voted no can do.

15 Q. Interesting. Stop right there. In this discussion that  
16 you have described, can you remember anything that  
17 Sheila Harkins said?

18 A. If she said anything at all, it was very little.

19 Q. How about Heather Geesey?

20 A. No. Heather almost never spoke.

21 Q. You said Jane was absent. There's Casey. Did Casey say  
22 anything?

23 A. She possibly did, but I don't remember it. I remember  
24 Dr. Nilsen doing a fair amount of talking also.

25 Q. Let me ask you about Noel Wenrich. Anything that Noel

1           said?

2   A.    If it was, it was very scathing. I remember Noel  
3           sitting over there just furious, but I don't remember  
4           anything --

5   Q.    At Bill?

6   A.    I assumed because he sat right beside Bill. He wasn't  
7           staring at Bill, but he was furious. I don't know who  
8           he was furious at. I don't remember anything. I don't  
9           remember other than the fact that it was rather  
10          contentious.

11   Q.   Let me ask you: Was there any discussion of teaching  
12          Creationism in connection with this text dispute?

13   A.   Not that I recall. It was just a supplemental text.  
14          But it was to be included -- well, the -- okay. I do  
15          remember the word supplemental text. I do remember  
16          Casey pointing out that we had to buy our biology book  
17          by July 31st. And Bill was proposing we put this off  
18          still longer. And Sheila commented that you can buy  
19          supplemental texts at any time in the year.

20                 And Casey said yes, but not without a primary  
21          text. I remember that going back and forth. I don't  
22          think it had anything to do with anything. No, I don't  
23          recall anything. Not off the top of my head, no.

24   Q.   So then as you say Angie moves for reconsideration. Did  
25          she state her reasons?

1 A. Her reasons at the time were I wanted the kids to have  
2 their books. Afterwards she told me, I thought you were  
3 going to have a heart attack or kill Bill. I didn't  
4 know which. That is what she told me afterwards.

5 Q. Okay.

6 A. I said don't worry about my heart. It is in good shape.  
7 I did not comment on the rest.

8 Q. So she moved for reconsideration. That motion was --

9 A. It then passed 5-4, and we bought the books. Bill was  
10 furious and came over and dressed her down royally. And  
11 Sheila was all over her. They were both furious.

12 Q. Let me ask you: Was there a discussion about this  
13 voting and the two texts after the vote was taken during  
14 the public session?

15 A. I don't recall. That pretty much ended it.

16 Q. Then the meeting, the public meeting adjourns. Was  
17 there discussion after the meeting?

18 A. I don't remember. It's possible there was, but I don't  
19 remember.

20 Q. You say you remember Bill Buckingham addressing Angie?

21 A. Yes. He came over and accused Angie do you know what  
22 you have done? And that is when she said I just wanted  
23 the kids to have their books. Angie was -- she was near  
24 tears. Angie likes to be all things to all people.

25 Sheila was giving her -- was just raking her over

1 on my way out to get a smoke. I needed one desperately.

2 Q. If there is a recess, do you recall the meeting  
3 adjourning again after the recess?

4 A. Obviously, if we would have adjourned, we would have  
5 come back in. But I don't remember what happened after  
6 that. I know Bill was much more subdued. And I still  
7 wanted to hit him.

8 From that point forward, I no longer considered  
9 that man a friend. I had ceased to trust him.

10 Q. Was that because he had --

11 A. He went back on his word.

12 Q. All right. Now this is the first meeting in August, and  
13 the text is approved. Do you see anything else  
14 unfolding as we go forward? As you sit there on August  
15 2nd, the Board meeting is over --

16 A. I believe that was probably -- it had to be in that  
17 general time period that these discussions on prayer in  
18 school took place. It was during the summer. I mean we  
19 are in August now so we are getting near the end. It  
20 may have occurred in June. I don't remember. But it  
21 was -- I don't know. The next thing, the next  
22 meeting --

23 Q. Wait a second because that is what I do want to ask you  
24 about. It is August 2nd now, and the text has been  
25 approved.

1 A. Right. At this point, I don't think -- I will put it  
2 this way: The first discussion of prayer would have had  
3 to have occurred before that just because of the way I  
4 remember feeling. I wasn't feeling like I wanted to  
5 slug Bill Buckingham the first time so it had to be  
6 before that meeting.

7 If we had an executive session before that  
8 meeting, it could have occurred then. I don't know.  
9 But certainly the first one had to occur before the  
10 third of August, and the second one would have occurred  
11 afterwards.

12 Q. Okay. Let's look at that first one. I am just trying  
13 to get whatever you can recall about that discussion.  
14 Was it prayer in the schools?

15 A. They were all -- it was consensual, unanimous -- I am  
16 sorry; I'm not helping; am I -- that they thought prayer  
17 should be in schools, which I don't view as a  
18 constitutional issue. A person can think anything they  
19 want.

20 They were not discussing actually taking any  
21 specific action to put it there, and they never did. In  
22 my presence, no one ever discussed an action to put  
23 prayer in school. A desire to do so, yes. A plan to do  
24 so, no.

25 Q. Okay. All right. Now we are looking forward from

1 August 2nd. And I know you are not on the curriculum  
2 committee, but did you see any future issues coming up?  
3 What was the status of *Of Pandas*?

4 A. At this point, it was a dead issue. However, the next  
5 thing to come up at the very next meeting -- no, not --  
6 the very next would have been the second one in August,  
7 and at that point, I think Bill was still subdued.

8 I guess it was the first meeting in September,  
9 Bill announced in executive session that he had found --  
10 that he was soliciting donations from community members  
11 to buy copies of *Of Pandas and People* to be placed in  
12 the biology classes.

13 And I remember saying -- and Casey too -- we can  
14 accept donations to our library. That is a standing  
15 policy with the District. And he said no, I am not  
16 asking people for their money to put books in the  
17 library. If I am going to go to these people and ask  
18 them for money, the books are going in the classroom.

19 And I said you could have a problem with that. I  
20 don't know. I didn't tell him he would. I said he  
21 could.

22 And I said the library, no problem. We have a  
23 standing policy to handle it. And he repeated that he  
24 was not at all interested in getting people to donate  
25 these to the library. He wanted them in the classroom.

1           That is pretty much where that stopped. But then  
2           I heard -- well, Alan Bonsell and Jane Cleaver both said  
3           to put them down as donors. They made that statement.

4           And, again, I was like I didn't view that as a big  
5           deal, but I thought I might as well throw it in for what  
6           it is worth. They were allowed to buy any books they  
7           want. I don't care.

8   Q.    I understand. What happened next from your perspective,  
9           Jeff?

10   A.   The next thing that came up was we had a meeting at the  
11           high school. This is another one Casey and I are foggy  
12           on. We are both positive it was in the high school. We  
13           only had one meeting in the high school all year. So  
14           it's whatever date that was. We think it was the second  
15           meeting in September, but we are not positive, believe  
16           me.

17           Anyway at that one, I remember there was another  
18           discussion with Casey about a world's religions class.  
19           She had been bringing this up off and on for three  
20           years. She said that we could teach stories of  
21           Creationism. We can teach anything we wanted in a  
22           world's religions class, but we have to teach all  
23           religions, or at least all major ones.

24           And I remember Alan saying no, we don't. I pretty  
25           much stayed out of this one. But a similar conversation



1 came up the first month -- at the first meeting in  
2 October.

3 I had been at a seminar. The School Board had a  
4 policy that they would send one Board member to  
5 seminars, and then we were supposed to come back and  
6 report what we found and save money that way.

7 I had attended a seminar on church, state issues.  
8 I was trying to pass this information -- I had been  
9 trying to pass this information around all summer and  
10 kept running into stone walls. But I remember the first  
11 month in October, Casey again proposed a class on world  
12 religions. And I got involved in it somehow, some way.

13 And I said but no, I said -- that's right. At the  
14 seminar I attended, the ACLU's position is you can teach  
15 all religions or none of them, nothing in between.

16 And Heather Geesey looked me right in the eye and  
17 said we're not teaching other religions in this school,  
18 and the emphasis was on the word other. I was thinking  
19 okay, and I just dropped the subject.

20 And at that meeting, the Superintendent announced  
21 that he was placing by executive action -- the Board was  
22 not involved -- he was placing the books *Of Pandas and*  
23 *People* in the biology classrooms. He had gotten the  
24 okay from the teachers, and he was doing this, and the  
25 teachers were okay with it.

1 I remember thinking well, Bill, you got your books  
2 in the classroom. I hope you're happy. That was the  
3 position of the local newspapers because they both  
4 printed articles praising Dover for having found a  
5 compromise that was acceptable to all parties. And once  
6 again, we thought the issue was settled.

7 Q. Okay.

8 A. And then came October 18th.

9 Q. Let's stop for a quick minute.

10 (A recess was taken.)

11 AFTER RECESS

12 BY MR. GILLEN:

13 Q. Let me ask you, you mentioned two things I want to ask  
14 you a little more about. Casey Brown is advancing this  
15 notion of let's teach it in a world religions class.  
16 And I think I know the answer to this question, but I  
17 want to ask it anyway.

18 Is that because Casey saw the book of *Of Pandas*  
19 *and People*?

20 A. Casey was advancing it for three years. It was long  
21 before she ever heard of *Of Pandas and People*.

22 Q. Explain what is Casey advancing.

23 A. The idea of a world religions class. And it was pretty  
24 much in response to the fact that Alan was so interested  
25 in seeing that kids got some sort of religious

1 background information in school. And again, I am  
2 putting words in his mouth to say it that way.

3 It concerned him. It concerned Noel. It was a  
4 concern for several Board members. And none of us -- I  
5 don't think there was anybody on that Board -- I would  
6 hope there was never anybody on that Board who thought  
7 that religion is a harmful thing for human beings to  
8 have.

9 And she was mainly concerned with what's legal and  
10 what is not. Basically Casey and I and several other  
11 people really did not like to pick up the newspaper and  
12 read about our School District. Our goal was to stay  
13 out of the newspapers as much as possible. Let's run a  
14 School District the way most people do, which is you get  
15 a little box on the back of the local section about  
16 twice a month, and nobody reads it. Being front page  
17 above the fold was not our goal.

18 So she was looking at this from a standpoint of  
19 what we can do legally. And, quite frankly, I think she  
20 viewed it as a good thing. I got that impression.

21 Q. Am I understanding you correctly that Casey viewed  
22 Intelligent Design as a religious argument?

23 A. Not initially because she -- yes, Casey and I both  
24 viewed it -- - having read *Of Pandas and People*, we both  
25 reached the conclusion that this was just *Genesis*

1 dressed up with a couple of scientific -- with a couple  
2 of scientific asides.

3 Q. That is why she is proposing to put it in a world  
4 religions class?

5 A. Right.

6 Q. You mentioned a seminar you had attended on church and  
7 state issues. When was that, Jeff?

8 A. That would have been in 2003 actually.

9 Q. Where was that held?

10 A. Up in Hershey.

11 Q. Who put it on?

12 A. The PSBA. They put one on every year.

13 Q. And what month in 2003?

14 A. Couldn't tell you.

15 Q. PSBA is?

16 A. Pennsylvania School Board Association.

17 Q. You mentioned that in response to Casey's suggestion  
18 that maybe we could discuss Intelligent Design in a  
19 world religions class, somebody said we don't teach all  
20 major religions or we don't have to?

21 A. She said that we will have to teach all the major  
22 religions, and Alan said we don't need to do that. And  
23 when I basically reiterated pretty much the same thing,  
24 Heather Geesey's response was we are not teaching other  
25 religions in this school. She emphasized the word

1 exclusion of all others.

2 Q. Okay. Let's go through this last meeting you have  
3 discussed here. I think it is the October -- the first  
4 meeting in October?

5 A. The first meeting in October, yes, that was the one  
6 where Heather said about other religions. And that was  
7 the one where Dr. Nilsen announced the books were going  
8 into the classroom. And that was pretty much that for  
9 that meeting.

10 Q. Okay. When Dr. Nilsen discussed putting the books in  
11 the classroom, did he go into detail, or did he just say  
12 we got a donation, and we are going to put it in the  
13 classroom?

14 A. He announced that he had discussed it with the science  
15 teachers, and they didn't have a problem with it. I  
16 think what he actually meant was they gritted their  
17 teeth and said fine, we can go this far. I don't know.  
18 I am guessing.

19 Anyway, that is what he said, that it was okay  
20 with the Science Department.

21 Q. Okay. Any discussion of contemplated curriculum changes  
22 at this first meeting in October?

23 A. Not at all. That came up almost immediately after. And  
24 we got the information second -- I should say Casey got  
25 the information second hand, or through the

1 administration.

2 And again, you better refer to her on that because  
3 I don't -- I do know that both she and I were becoming  
4 increasingly disgusted. Neither of us were discussing  
5 it with the other.

6 Our 20th anniversary was October 16th. And that  
7 is when we both -- I think she mentioned it first, that  
8 she said she was considering resigning over the way we  
9 were being treated by the Board, by our so-called  
10 friends. And I said you're kidding because I have  
11 thinking the exact same thing.

12 We both had been thinking it for quite a period of  
13 time. Neither one was talking about it because neither  
14 one wanted to influence the other. It was like well,  
15 gee.

16 So we came to the October 18th meeting. We had  
17 found out when we got our -- that this curriculum change  
18 was being proposed. She had her resignation speech all  
19 written out. I read it and figured what am I going to  
20 say to top that? I will just make a few quick comments  
21 and get out of there.

22 Q. Let me ask you, Jeff, you indicated that before this  
23 meeting, Casey did get some notice that the curriculum  
24 change is in the works.

25 Can you recall anything about that notice? How

1 did she get the notice, for example?

2 A. I don't know. I was probably at work. Probably a phone  
3 call. I am guessing. I assume it was a phone call.

4 Q. Did she tell you anything about that process?

5 A. Not very much. I mean not before. Afterwards, yes. I  
6 got some stuff. But beforehand, I don't remember too  
7 much.

8 I mean I was aware that it was being discussed,  
9 but that is about as much as I knew. To be honest with  
10 you, at that point, I was in the process of just not  
11 caring anymore. I wasn't paying as much attention as I  
12 had been.

13 Q. Okay. Let me ask you this: In the period between Casey  
14 got whatever notice she did and the Board meeting on  
15 October 18th, do you recall getting any phone calls from  
16 any of the Board members?

17 A. Yes. Well, I didn't get it, but Casey got it. Alan  
18 called me I think Friday. I think it was Friday night.  
19 I am not positive. But I came home, and she said Alan  
20 called, and he wants you to call him.

21 I was like about what? And we had instituted a  
22 policy when we got control of the Board that the  
23 Presidency would be what Noel Wenrich called one and  
24 done. You serve one year. You step down, and somebody  
25 takes your place.

1 And what he had called to ask was was I interested  
2 in voting for Sheila for President or voting for him for  
3 a second consecutive term? Which, of course, would have  
4 been changing our policy.

5 And I am like how about none of the above? I am  
6 not interested in voting for either of those people. I  
7 just didn't call him back. I just did not call him  
8 back.

9 Q. All right. The information you have just given me, was  
10 that relayed to you by Casey?

11 A. Yes. I think so unless -- somebody took the message.  
12 It had to be our daughter or Casey. Casey told me.  
13 Whether she took the phone call or not, I don't know,  
14 but she is the one that told me Alan had called and what  
15 it was about.

16 Q. Do you recall it being about anything else besides the  
17 upcoming reorganization?

18 A. Yeah. An electrical job at his house that I was  
19 supposed to do. I was already reaching the point where  
20 I didn't want to have to be there either. I mean I was  
21 winding down rapidly at that point. I was just tired of  
22 it.

23 Q. Okay. Anything else from the phone message?

24 A. That is all I remember. I just remember that I just  
25 never did work up the gumption to call him.



1 Q. Apart from that phone message, any other communications  
2 between you and any other Board members about the  
3 upcoming meeting on October 18th?

4 A. Sheila might have -- I don't think she did. Sheila and  
5 I talked fairly regularly. I don't recall anything.  
6 Although I did see Noel fairly regularly, but I don't  
7 remember anything.

8 Q. All right. So the next thing that should happen  
9 logically is you get your Board packet, or did you  
10 already have it?

11 A. They come Thursday.

12 Q. You go into the Board meeting realizing that there are  
13 some competing --

14 A. Yes.

15 Q. -- competing versions of curriculum changes up for a  
16 vote?

17 A. Yeah. I can't even remember if the wording was in the  
18 Board packet or not. I think it was, but I am not  
19 positive. I don't have any Board packets. When I  
20 resigned, I left it laying on the table. I figured I am  
21 not on the Board anymore. I don't need this stuff.  
22 That is one reason I don't have any documents. When I  
23 walked, I left it sit.

24 Q. Did you resign before or after the vote on the  
25 curriculum change?

1 A. After.

2 Q. Tell me how the meeting unfolded from your perspective.

3 A. We started with an executive session which I think had  
4 to do with disciplinary matters. I am not sure.  
5 Anyway, I remember Casey saying something -- citing some  
6 kind of statistic, what have you, which Casey carries  
7 around in her head much better than I ever will. And  
8 Sheila saying do you have that in writing? I am like  
9 whoa, that is the kind of attitude you always used  
10 toward Barrie Callahan. I can see where we fit into the  
11 grand scheme of things. Thanks for making my job  
12 easier, Sheila. I remember thinking that.

13 And, of course, Bill was not speaking to me at  
14 this point, but he did speak to the rest of the Board.  
15 He said let's go out and let's get this thing done.  
16 It's way passed time. He did not say what this thing  
17 was, but I sort of had a good idea what he was talking  
18 about.

19 And I said see you on the other side, Bill. And I  
20 left and went outside. I went out to the table. And we  
21 went through the rest of the meeting, blah, blah, blah,  
22 etcetera. And then we got to the issue.

23 The teachers had found out about this only a few  
24 hours before the meeting. They had never been consulted  
25 on this curriculum change. The administration had

1 prepared a compromise resolution. The teachers had  
2 prepared a compromise resolution. I actually think --  
3 okay.

4 The administration had prepared a resolution which  
5 the Board curriculum committee had rejected and then  
6 came up with their own, at which point the  
7 administration came up with a second -- actually, the  
8 first compromise resolution. And then the teachers had  
9 come up with one. We had a total of four resolutions on  
10 the table.

11 I began voicing my objections to the idea of  
12 including any mention of this in the curriculum. First  
13 and foremost being if we got sued and lost --  
14 incidentally, your law firm had come up at some point.  
15 At some point, Bill informed us you volunteered to  
16 defend the District if we were sued. That may have been  
17 the October 18th meeting. I am not sure.

18 And I brought up the person on the other side of  
19 the table using him as the boogeyman -- sorry, but it is  
20 politics.

21 Q. That is a reference to the ACLU?

22 A. Yes. It is like if we lose this case, we are going to  
23 end up paying the other side's legal costs, and that  
24 could run whatever they decide they are. This isn't  
25 worth it. We need to look into this further.

1           And their contention was we are not going to get  
2           sued. I can say this if they ever want to go into the  
3           prophecy business, they are off to a lousy start.

4   Q.   Let me ask you: Had you looked over any versions of  
5           competing proposed curriculum changes prior to the  
6           meeting?

7   A.   No. No, I wasn't aware of them until -- I think they  
8           were handed to us in the executive session. We had them  
9           when we went out the door.

10   Q.   Was there any discussion of the various versions by Dr.  
11           Nilsen when he handed them out?

12   A.   Dr. Nilsen explained where they came from, why they had  
13           been worded the way they were, and what the possible  
14           objections were. It all boiled down to two words  
15           Intelligent Design.

16           Basically, I think anything the Board would have  
17           passed that didn't include those two words would have  
18           been acceptable to the administration and the teachers.  
19           But I am guessing. All I know is only one motion had  
20           the words Intelligent Design in it, and that was the  
21           Board's.

22   Q.   Apart from those two words Intelligent Design, were  
23           there any other features of the competing versions that  
24           you recall as being problematic?

25   A.   There was one section of the teachers that was actually

1       lifted out of it and placed into the final, and that is  
2       the note: Origins of life will not be taught. That was  
3       originally in the teachers' draft.

4       At some point in the extremely heated debate,  
5       Casey brought up the fact that we don't teach origins of  
6       life. Are you proposing to change that? And Bill  
7       Buckingham said no, we are not. At which point I said I  
8       move that the phrase note: Origins of life will not be  
9       taught be appended to the Board's motion.

10       And that was the only motion I made all night that  
11       passed. They didn't have a problem with putting that on  
12       there. Their original motion was the one that we have  
13       now, minus those words note: Origins of life will not be  
14       taught.

15   Q.   What was your rationale, Jeff, for suggesting that  
16       change?

17   A.   Intelligent Design is nothing but the origins of life.

18   Q.   So did you see yourself as defeating --

19   A.   I was making sure they could never teach it by their own  
20       motion. They weren't proposing to teach it, but I was  
21       just covering my butt.

22   Q.   So let me make sure I understand you. You thought that  
23       when the note you suggested adding to the Board's  
24       version was taken in connection with the part of the  
25       proposed curriculum change that said students will be

1           made aware of other theories including Intelligent  
2           Design, that read together the net result would be that  
3           Intelligent Design could not be taught, but students  
4           could be made aware of it; is that your thought?

5   A.    Actually, it wasn't. It was just to make sure they  
6           never could.

7   Q.    Then tell me so I can understand you.

8   A.    Okay. Quite frankly, I didn't trust Bill Buckingham as  
9           far as I can kick this building. I don't take -- his  
10          promises are worthless to me. He can stand there and  
11          tell me we don't want to teach this, and I will say  
12          yeah, Bill, today.

13                So I wanted the motion read in such a way that I  
14                wanted a poison pill built right into it so he couldn't  
15                change his mind down the road quite so easily. They can  
16                throw the whole thing out and start from scratch. It  
17                was just the most I could do given the circumstances.

18   Q.    Okay.

19   A.    It wasn't that I thought they didn't want to teach it.  
20           It was that they were saying they didn't want to teach  
21           it. Although the teachers were arguing that by placing  
22           it in the curriculum, the instructional curriculum, they  
23           felt obligated to teach it.

24                And the Board did argue, did argue that they were  
25                not requiring -- they were not saying that we want you

1 to teach it. They did state that several times during  
2 that meeting.

3 However, in law it's really irrelevant what you  
4 mean. It is what you put in writing. And they did  
5 place it in the instructional curriculum, which was the  
6 teachers' point. It is like why is it here? Why is it  
7 listed in instructional curriculum if we are not  
8 supposed to teach it? It is the only thing in the  
9 instructional curriculum that they are apparently not  
10 supposed to teach.

11 I am going by what they said. I don't know.

12 Q. Was there any discussion of technical use of the word  
13 teaching in the curriculum as opposed to making students  
14 aware of?

15 A. No, no. The Board did several -- I should say the Board  
16 never passed a formal motion saying it should not be  
17 taught. Several Board members, Heather Geesey in  
18 particular I remember saying we are not asking you to  
19 teach it.

20 But again, that's a comment. All that matters is  
21 what the Board actually passes, what they have got in  
22 writing.

23 Q. Let me ask you: You say Dr. Nilsen gives you the  
24 versions, and he gives you some explanation for the  
25 changes. Tell me what you recall about what Dr. Nilsen

1           said.

2   A.    He was sharing -- he was voicing the same concerns as  
3           the teachers. By including the phrase in the  
4           instructional curriculum, he felt it -- again, we are  
5           back to this. Nothing else is mentioned in the  
6           instructional curriculum except subjects that we teach.

7           And therefore, he didn't have any problem with --  
8           I won't say any problem. He could live with -- I will  
9           put it that way. At any rate, he wasn't going to fight  
10          until the last dog died any reference to making students  
11          aware of other potential theories as long as we didn't  
12          name any.

13          Naming one theory in his -- as I understood it,  
14          naming that theory in the instructional curriculum  
15          essentially put it in the same category as subjects that  
16          we teach. I may be misinterpreting what he meant. I  
17          don't know.

18   Q.    That is fine.

19   A.    He is the best man to ask for that.

20   Q.    How about anything else that Dr. Nilsen said when he  
21          passed these proposed changes to you?

22   A.    The objection was always to the phrase Intelligent  
23          Design. I pretty much got the opinion we could write  
24          anything we wanted as long as it didn't have those two  
25          words in it.



1 decided what's the point of this. He could keep it up  
2 all night, but he had already tendered his resignation  
3 because he was moving out of the District.

4 I am sitting there thinking I can probably twist  
5 Angie's arm and get her to vote against this, and it  
6 would fail because it needed six votes. We didn't have  
7 the administration.

8 I thought but Noel is leaving. So they will  
9 replace him with another knucklehead. I did think that.  
10 I am sorry. I am under oath. I did think knucklehead.  
11 So it is like what is the point? Let's let it happen  
12 now. And we finally just said fine, and they did.

13 Q. Let me ask you to make sure I understand: What did you  
14 see the point of Noel's Parliamentary maneuvers being?

15 A. He was giving them every chance in the world to  
16 compromise. In the back of my mind, we have a teachers'  
17 contract coming up next year. Do we really want to be  
18 yanking the teacher's chains right now? This is really  
19 stupid. We are now in the midst of that contract, and  
20 it could not be more acrimonious. But that is an  
21 unrelated subject unless you are a School Board member.

22 Q. Let me ask you about that. Were the teachers at this  
23 meeting on October 18th?

24 A. Bertha Spahr. I believe Jen Miller. I don't know who  
25 else. There were some other teachers with her. Again,

1 I don't know these teachers, but I do know Bertha Spahr.  
2 She was there. She was basically the spokesperson, but  
3 there were some other science teachers. I think it was  
4 probably Jen Miller, but I don't really know. That is  
5 all.

6 Q. Do you recall anything that Bert Spahr said?

7 A. She was adamant that she did not want this in there.  
8 She said it is the feeling of my Department that if  
9 these -- if you include this phrase in the instructional  
10 curriculum, we have to teach it. And we are not trained  
11 to teach this. I remember her saying that.

12 Q. How about any other public comments stick out in your  
13 mind?

14 A. There wasn't a whole lot of public comment. The Board  
15 was doing quite well by itself. I do recall  
16 Mr. Buckingham at one point telling me that it is a good  
17 thing you weren't around during the American Revolution,  
18 Mr. Brown, or we would still be under a Queen.

19 I came up out of my chair. I really did. It was  
20 the only time I was on the School Board I wanted to hit  
21 a man really bad. And I remember thinking -- I am under  
22 oath so the first thing through my mind was he is a  
23 cripple, I can't hit him. I sat down.

24 My wife said I know that look. You wanted a piece  
25 of him. I said man, I wanted him bad, but I didn't. I

1 behaved myself. And he later tendered an apology which  
2 I have yet to accept. Let me know when hell freezes  
3 over. I will consider it.

4 Q. Maybe I have missed it.

5 A. If you got the opinion that the relations between Mr.  
6 Buckingham and I are not the best, I am sorry. I guess  
7 I overplayed it. Ha, ha.

8 Q. I may have skipped something here. The voting, before  
9 the voting started, was there discussion among Board  
10 members about the rival versions of proposed curriculum  
11 changes?

12 A. Very little. It was perfunctory. There was some, but  
13 it was strictly -- the administration discussed them.  
14 We sat there and listened. I don't think anybody was  
15 under any illusions of what was going to happen next.

16 If there was any discussion at all, it was not  
17 really very --

18 Q. Substantive?

19 A. Yes, that is a good word.

20 Q. You said the administration discussed them. Would that  
21 be Dr. Nilsen?

22 A. Yes. Mike Baksa was probably there as well, but I am  
23 not sure. Dr. Nilsen was always there for our executive  
24 sessions. I don't know if Mike Baksa was or not.

25 Q. But this is not an executive session anymore, right,

1           this is the public --

2   A.    Oh, the public meeting. But I mean before the meeting,  
3           there was a discussion in the executive session when we  
4           were presented with the various -- that is what I was  
5           referring to. I am sorry. We got confused. What was  
6           your question?

7   Q.    That is fine. So the explanation provided by Dr. Nilsen  
8           is in the executive session. You go out to the public  
9           meeting, and you roll through the meeting until you get  
10          to this agenda item curriculum?

11   A.    Yes.

12   Q.    At that point, was there discussion among Board members  
13          about the various proposed versions of curriculum  
14          changes?

15   A.    Yes. We saw to that.

16   Q.    This discussion is before the voting takes place?

17   A.    Yes.

18   Q.    Tell me what you can recall about that discussion.

19   A.    It involved numerous motions. And under Parliamentary  
20          procedure, the most recently made motion must be voted  
21          on first. So when an amendment -- a motion is proposed,  
22          which Mr. Buckingham did when he read it, Noel  
23          immediately proposed an amendment to the motion. That  
24          had to be voted on before we could vote on  
25          Mr. Buckingham's.

1           This is what Noel meant by I can do this all  
2           night. And he was correct; you can.

3           But his motions were not -- he hadn't reached the  
4           level of the nonsensical which he used to do at the old  
5           Board just to get them ticked off. I felt they all had  
6           merit from the standpoint -- they all had a purpose.  
7           They weren't just there to drag the thing on.

8           His first motion was to table. And I at that  
9           point, I discussed -- I should say at that point, I went  
10          on about I felt a committee should be formed. I voiced  
11          my various objections to this or potential objections.  
12          These were all issues I felt needed to be looked into  
13          before we proceeded any further. They were summarily  
14          rejected by the Board.

15          And then his next motion was he went through the  
16          various amendment motions. We proposed a few motions of  
17          our own that were essentially -- but every motion we  
18          proposed did not include the words Intelligent Design,  
19          and they were all voted down. The Board was adamant the  
20          phrase Intelligent Design had to be in the motion.

21          There could be no mistaking that because we  
22          considered I think something like 20 amendments. And  
23          while they were willing to amend their motion by adding  
24          the note: origins of life will not be taught, they were  
25          not -- we proposed rewording their amendment to take the

1 phrase Intelligent Design out, and that was shot down.

2 I don't know any other way to say it except that  
3 they were adamant that the words Intelligent Design had  
4 to be in the motion. And the teachers were equally  
5 adamant that as long as they were, they couldn't support  
6 it. That's where we stood.

7 Q. Okay. Now at several points in your answer, Jeff, you  
8 have mentioned that the Board was adamant or they were  
9 adamant?

10 A. Six members of the Board were adamant.

11 Q. Who were you referring to there just so I now how you  
12 saw it?

13 A. Alan Bonsell, Bill Buckingham, Jane Cleaver, Heather  
14 Geesey, Sheila Harkins and, yes, Angie Yingling.

15 Q. And you also mentioned earlier that the proposed  
16 curriculum change needed six votes.

17 A. Because it was not an administrative recommendation.

18 Q. Okay.

19 A. Otherwise, it would have only needed five.

20 Q. And you indicated that at your suggestion -- or motion I  
21 suppose technically -- the note from the teachers'  
22 version --

23 A. Was placed in there, and that I believe passed  
24 unanimously. I could be wrong, but at any rate it  
25 passed.

1 Q. It is moved from the teacher's version to the Board  
2 curriculum committee's version?

3 A. Right.

4 Q. Casey was on the Board curriculum committee. Had she  
5 participated in formulating the Board's version?

6 A. No, she had a doctor's appointment that day.

7 Q. And she missed the meeting in which this was worked out?

8 A. Right.

9 Q. When you made the proposal to shift that note from the  
10 teachers's version to the Board curriculum committee's  
11 version, did you have an understanding of what origins  
12 of life are not taught meant to the teachers?

13 A. Not specifically. The teachers had stated in that  
14 meeting where Casey got her reputation as the peacemaker  
15 that they had never taught origins of life. They viewed  
16 it as too controversial. They didn't get into it.

17 What they meant by origins of life was the part of  
18 Darwin's Theory that states that all life evolved from  
19 single celled organisms a long, long time ago. They  
20 don't get into that.

21 Now me I like to take a step further back than  
22 that and state did these organisms just do this on their  
23 own, or is there some master plan or thought process,  
24 etcetera? But they didn't get into that either so it  
25 was irrelevant. I assume that is what they meant. I

1 don't know.

2 Q. Okay. And I think you said the point of Noel's  
3 Parliamentary maneuvers was to see if there was a  
4 compromise?

5 A. If it was possible to get the words -- come up with  
6 something both sides could live with. The Board showed  
7 no interest, whatsoever.

8 Q. You said both sides. How do you see the sides?

9 A. As I interpreted it, the teachers were very blunt. In  
10 their opinion as long as the words Intelligent Design  
11 were in the motion, they could not support it.

12 And while the Board did not say that they  
13 absolutely had to be there, they rejected any and all  
14 configurations that did not include the two words. So  
15 we were basically in a situation -- it was a shoving  
16 match, and the Board shoved harder.

17 Q. All right. You have mentioned a comment that Bill  
18 Buckingham made to you during this voting process. Tell  
19 me how you understood -- what was he getting at this  
20 thing about the American Revolution?

21 A. When I settled down, I just looked at him and said don't  
22 you ever question my courage, ever. That is how I took  
23 it. He was basically saying I was some kind of big  
24 weenie, and I was afraid to -- that is how I took it.

25 Q. And I just want to make sure I understand you. Do you



1 think he was conveying the notion that you were  
2 capitulating to the teachers?

3 A. I don't know. I didn't think that far ahead. My  
4 thought process was a little -- I was moving on  
5 adrenalin at that point. I wasn't thinking too far  
6 ahead. I don't know. I don't know what he meant by  
7 that.

8 Q. But you did see it as --

9 A. I took it as an insult, yes.

10 Q. All right. Apart from that comment, Jeff, was there  
11 anything else that was said?

12 A. Heather Geesey made a comment which everybody present  
13 took as meaning if the teachers didn't agree with -- how  
14 the hell did she put it? It was in the newspaper.

15 She made a comment about they should be -- if  
16 the -- I don't remember the context something about they  
17 should be fired. And the context was I took it, my wife  
18 took it, Joe Maldonado from the *Daily Record* and Heidi  
19 Bernhard-Bubb from *The Dispatch* all took it as meaning  
20 that it was directed at the teachers. The word they, of  
21 course, can apply to other people. But that's how we  
22 all took it at the time.

23 And Joe Maldonado has stated to us in private  
24 conversation that he questioned Heidi (sic) afterward  
25 what she -- what she meant. Did she mean this about the

1 teachers?

2 And he claims -- I didn't hear it -- but he claims  
3 that she said she -- I don't know. You better talk to  
4 Joe Maldonado. At any rate if it ever becomes an issue,  
5 it was in the newspaper. It was printed in the  
6 newspaper as she said that the teachers should be fired  
7 if they don't go along with this.

8 And then when it was published in the newspaper  
9 and created a huge backlash in the community, she said  
10 that what she actually meant was the lawyers should be  
11 fired if they approve this. Again, this is somebody  
12 else's quote. I can't do it any justice, but it was in  
13 the newspaper.

14 There are two different schools of thought as to  
15 what Heather Geesey meant. But Joe said he talked to  
16 her afterwards to get a confirmation, and he got it. I  
17 don't know. It's not my department.

18 Q. I understand. Did you ever talk to Joe about his  
19 coverage of these events during the period where the  
20 events were occurring?

21 A. Yes, I did. I used to kid him about it all the time.

22 Q. In what way?

23 A. Because they were always accusing him of misquoting  
24 them. I used to kid him about it. Invent any more good  
25 stories, Joe? Because quite frankly, I never saw Joe

1           invent anything.

2           The quotes that I have seen in the paper -- I had  
3           an issue with Heidi Bernhard-Bubb taking my reference to  
4           the Golden Rule out of my statement. But other than  
5           that, I didn't have any problems with accuracy. She  
6           didn't change anything else. She just deleted something  
7           that I thought didn't need deleted.

8           Again, I know how newspapers work. She may not  
9           have taken it out. Her editor may have taken it out.  
10          But at any rate, I never saw any of the -- nothing I  
11          witnessed in none of the situations that I witnessed did  
12          the newspapers get the quotes -- I won't say they always  
13          captured them word for word; although, they came pretty  
14          doggone close.

15          And they certainly never twisted meanings around,  
16          unless in the case of Heather Geesey she actually did  
17          mean the lawyers and not the teachers. I am not the  
18          person to judge that. I don't know. I took it as  
19          meaning the teachers, and a lot of other people did,  
20          too.

21   Q.   Looking at again this October 18th meeting, and Bill  
22          Buckingham made a comment that sticks in your memory,  
23          and Heather Geesey made this comment, anything else that  
24          you recall about discussion by Board members relating to  
25          these proposed changes or the votes had on proposed

1 changes?

2 A. Nothing comes to mind. We were doing most of the  
3 talking. All they were basically doing was waiting for  
4 us to shut up long enough so they could call the  
5 question and end debate on the Noel's latest motion and  
6 vote the thing down.

7 Then he would make another one, and we would  
8 discuss that. They weren't doing that much talking.

9 Q. How about the term Creationism?

10 A. Did not come up. Did not come up. Creationism did not  
11 come up after June, not in public meetings. But I will  
12 say this: Intelligent Design seemed to step into its  
13 shoes without any difficulty, whatsoever. That is an  
14 opinion, but I noticed that at the time.

15 Bill went from championing one to the other  
16 without batting an eye. I don't know what that means.  
17 Maybe he can answer that.

18 Q. Can we take a brief break?

19 (A recess was taken.)

20 AFTER RECESS

21 BY MR. GILLEN:

22 Q. Tell me about your resignation, Jeff. What happened?

23 A. Well, no sooner was -- the vote was final. It was now  
24 -- Dover's date with destiny was secure. Although I  
25 must admit, I had no clue. I had no idea.

1           And Casey said I would like to make an  
2           announcement, and she read her resignation speech. And  
3           she got up and left. And while she was reading it,  
4           Angie Yingling whispered to me is Casey resigning? I  
5           said yes, and she is not the only one.

6           And Angie got this huge sad look on her face. You  
7           don't have to know Angie long to know that Angie has a  
8           good heart. We will not comment on the portion of her  
9           anatomy from the neck up, but from the neck down, there  
10          is nothing to fault.

11          Actually, I can say that as a heterosexual man,  
12          there is nothing to fault.

13          MS. ROPER: Maybe we should keep on topic.

14   A.       Maybe we can keep on talking.

15          MS. ROPER: On topic.

16   A.       Good point. I am sorry. I can't resist a straight  
17           line, even if it is mine. So she and I -- mine was  
18           short. I was like I am not going to top this. I am not  
19           going to even try.

20          I basically said I, too, feel there is nothing  
21           more I can accomplish while I am on this Board. And for  
22           those of you who are expressing any fears for the door  
23           striking my posterior, I will endeavor to see that this  
24           does not happen on the way out. And I said I am out of  
25           here.

1 I left all my stuff laying on the table. I  
2 grabbed my hat and left.

3 BY MR. GILLEN:

4 Q. And what led you to resign, Jeff?

5 A. I was ready to, anyway. Just what I said. I didn't  
6 feel there was anything else I could accomplish on that  
7 Board. They were no longer listening to me.

8 A School Board member's only real power is the  
9 power of persuasion. One School Board member can't do  
10 anything. Four -- under certain circumstances four can  
11 actually filibuster by refusing to prove a call to  
12 question, you can keep a motion going literally forever.  
13 But it requires four people to do that.

14 I am looking at it like Noel is leaving. Casey  
15 already left. There is no point. It wasn't really a  
16 question in my mind. I knew I could not accomplish  
17 anything.

18 They were going to do this. I thought it was  
19 dumb. I thought it was going to blow up in their faces.  
20 It remains to be seen just how much, but, you know, that  
21 was my opinion, and I haven't changed it.

22 Q. Okay. Did you talk to Angie Yingling about your  
23 resignation after this evening?

24 A. After this evening, yeah, we have discussed it off and  
25 on. I can't remember anything that I haven't already

1           gone, too.

2                   But she did not -- she talked to us -- of course,  
3           she didn't talk to us about it prior to her dramatic  
4           that does it, I am leaving. But then she did talk to us  
5           quite a few times between that and the actual letter of  
6           resignation.

7   Q.   And I want to ask you a few questions about that. First  
8           of all, as you know on this evening, Angie voted for the  
9           curriculum change suggested by the Board curriculum  
10          committee as amended to include the note which you have  
11          referenced earlier.

12                  Did Angie ever tell you why she voted for the  
13          curriculum change?

14   A.   Yes.

15   Q.   What did she say?

16   A.   She said they told her that she would be -- they said --  
17          they called her. They said people will think you are an  
18          atheist. If you don't vote for the Intelligent Design  
19          motion, she said that told her that people are going to  
20          call you an atheist, or they threatened to call her an  
21          atheist. I heard both versions.

22   Q.   What did Angie tell you?

23   A.   Both.

24   Q.   Did Angie give you both versions?

25   A.   Yes. If you know Angie, that is not surprising. It

1 depends which day.

2 Q. Did she attribute that statement to any particular  
3 person?

4 A. No. Not to me.

5 Q. Apart from what you have just said, did she tell you  
6 anything else about her reasons for voting for the  
7 curriculum change?

8 A. Just that she felt very pressured, and I assumed for  
9 those reasons.

10 Q. Did she ever talk to you about community pressure?

11 A. Yeah. But actually the community pressure she talked  
12 about did not have anything to do with her voting on  
13 October 18th. Community pressure, it is my  
14 understanding from what I gathered from her, it was  
15 community pressure that caused her to want her vote  
16 rescinded.

17 In other words after the vote, she started getting  
18 an awful lot of pressure from neighbors. I know her  
19 father came down on her like a ton of bricks. They all  
20 thought it was terrible that she had voted for this  
21 motion. And that's the only community pressure I heard  
22 about.

23 Q. Did she ever reference possible negative impact on her  
24 business or anything like that?

25 A. No. I don't think -- no. It was mostly just people



1 chewing her out with like what were you thinking?

2 Q. You have indicated you had some discussions with Angie  
3 after your resignation, but before her formal  
4 resignation we will call it?

5 A. Yeah. But they were basically you know, I wish you guys  
6 were still on the Board. Oh, I feel so awful. From a  
7 legal standpoint, I don't think there is anything there  
8 to be honest.

9 Q. Did she give you any specifics about Board actions or  
10 deliberations relating to the biology text or biology  
11 curriculum?

12 A. I don't think so. She did say -- and this could have  
13 been after -- I am not sure when this was but while she  
14 was still on the Board, of course, we have the period  
15 where Angie was on the Board before she resigned and  
16 then the period where Angie resigned but was still on  
17 the Board before she resigned, resigned. I can't tell  
18 you which section it was in, but it was in one of those  
19 two.

20 She did state that they were already making plans  
21 for what to do next after they won their case  
22 quote/unquote. And, again, Angie would be the best  
23 person to tell you this than me. This is hearsay. I  
24 got it from her.

25 Q. That's fine. Did she say anything more specific about

1 the plans?

2 A. Bible reading and prayer basically.

3 Q. So Angie Yingling told you that people were discussing  
4 that?

5 A. That is what she told me, yes.

6 Q. Did she attribute those statements to any specific Board  
7 members?

8 A. Alan Bonsell. That is the only one I remember her  
9 mentioning, which seems out of character for Alan. I  
10 will add that for what it is worth.

11 Q. Apart from what you have told me about your discussions  
12 with Angie, anything else that she said after you  
13 resigned but before she resigned?

14 A. There was always a lot, but nothing of any relevance  
15 that I can think of. That was basically -- nothing is  
16 coming to mind.

17 Q. How about any of the other Board members, did you ever  
18 discuss the events of October 18th with Alan Bonsell  
19 himself?

20 A. Okay. Yeah. It would have been in November I'm sure.  
21 He approached me, and he was really upset. And he said  
22 I thought you were a friend. I thought you were  
23 somebody I could count on, stuff like that. But nothing  
24 specific.

25 Q. Did he ever mention trying to reach you by phone that

1 weekend?

2 A. Yes, he did. That's right. He did at that same  
3 conversation. He said yes, yes, because in that same  
4 conversation, he said -- how did he put that? I know he  
5 mentioned it.

6 I told him I said Alan, I got the message. I said  
7 I just didn't have the stomach to call. I was fed up.  
8 I was done. I don't remember what his exact wording  
9 was, but he did ask me -- or mentioned that he had tried  
10 to reach me that whole weekend prior to the vote.

11 And it was like yeah, I am aware that you did, but  
12 I also no longer -- it was just we had nothing left to  
13 say to each other. That was my feeling.

14 Q. Because of the dispute that had arisen over this --

15 A. Yes.

16 Q. -- issue of Intelligent Design?

17 A. Yes.

18 Q. How about Sheila Harkins?

19 A. Sheila was in this morning. I don't know if she was  
20 still here when you got here or not. Sheila has always  
21 been very friendly towards me. She was always very  
22 friendly to everybody when it suits her purposes.

23 Q. Did you have any discussions with her about these  
24 disputes, the biology text, biology curriculum change  
25 after you resigned?

1 Q. Let's look at the first time. Do you recall what she  
2 said at that point?

3 A. I think I pretty much gave it to you as I recollect it.

4 Q. How about the second time?

5 A. Well, she read a statement. I can remember a few key  
6 phrases from it.

7 Q. What were they?

8 A. The one because she lifted it from me with my  
9 permission. I remember telling Bill Buckingham in  
10 executive session, I said Bill, if you want to fight  
11 this -- because he was going on about fighting the  
12 Supreme Court. And I am serious, he was. I forgot to  
13 mention that.

14 Memories are great. The weirdest things trigger  
15 them. I have forgotten that completely. He did state  
16 in executive session that he wanted to fight this all  
17 the way to the Supreme Court.

18 I said Bill, if you want to fight this issue, why  
19 don't you do it with your own money and stop dunning  
20 the taxpayers to pick up the tab? I said you are  
21 awfully brave with other people's money.

22 Angie liked it so much she used it in her  
23 resignation speech, that the Board was brave with the  
24 taxpayer's money. I remember that one because I had a  
25 personal stake in it. Nothing else comes to mind at the

1 moment. But I am sure she has a copy of it somewhere.

2 Q. Do you recall her saying anything about feeling pressure  
3 at that time?

4 A. I think she did, but I am not positive. I know it was  
5 in the newspapers. At some point either from her  
6 resignation speech or from talking to reporters, it was  
7 in the newspaper, her feeling pressure, being pressured,  
8 being threatened and called an atheist. I remember  
9 reading it in the paper, but I don't remember in what  
10 context.

11 Q. I want to see if I can go back and get a better sense  
12 for the way you see things with respect to the specific  
13 issue here. And that is earlier before lunch, we were  
14 talking, and you had this sense that the support of  
15 certain Board members for this Intelligent Design or *Of*  
16 *Pandas* was linked to religion.

17 A. Yes, I felt that. Now I should qualify that. You said  
18 certain Board members. I will not say all because in  
19 Sheila Harkins' case, I am not convinced it is basically  
20 based on conversations I have had with her.

21 But Heather Geesey, Bill Buckingham, Jane Cleaver  
22 definitely, and to a lesser extent Alan Bonsell;  
23 although, I wouldn't be sure how much lesser.

24 Q. What I am trying to get a sense for, Jeff, is why? What  
25 is the connection that you are making and what is the

1 foundation for that?

2 A. Just the general atmosphere. The general things people  
3 say, the way they say them. It was obviously important  
4 to them. The religion was obviously important to them.

5 The comments on school prayer, which as I said I  
6 am giving them to you vaguely because that is how I  
7 remember them is vaguely. But it was all a part of the  
8 same piece.

9 And what to me is inextricable is the fact that  
10 this whole thing evolved, and Mr. Buckingham carried the  
11 ball initially, and there was no -- I don't think there  
12 was any question in anybody's mind who was sitting in  
13 the same room with him that it was all about religion to  
14 him.

15 And because of that connection, because in his  
16 case it most definitely was, and the fact that there  
17 were these areas of agreement with other Board members,  
18 yes, I have connected this.

19 Nobody ever flat out said to me -- Bill came as  
20 close as anybody, and he didn't say it to me. He said  
21 it in public on his 2,000 years ago speech. Nobody ever  
22 came up to me and said we want to put Intelligent Design  
23 in the classroom because our real goal is to get our  
24 particular religion back into the public schools, and we  
25 don't want anybody else's in there.

1 Nobody ever said that in words. That was just the  
2 impression that was conveyed. And I have given you so  
3 many different this's and that's. But in my mind, they  
4 all coalesce -- Heather Geesey's we're not teaching  
5 other religions, the discussion that yes, prayer should  
6 be back in school, Bible reading should be back in  
7 school, the conviction that scientists for reasons as  
8 yet that are to me utterly incomprehensible would try  
9 and foist a hoax on the world, and the fact that they --  
10 I am convinced they believe this. This is not -- they  
11 are absolutely certain that that is what is actually  
12 happening.

13 It is all part and parcel of a world view in which  
14 you got your forces of darkness, your forces of light.  
15 You are on one side or the other. Which one is it going  
16 to be folks?

17 Have I got ironclad evidence that would survive?  
18 Could I pass a lie detector test asking me if I believe  
19 from the bottom of my heart that they think they are  
20 doing God's work? Yes, I am sure I could.

21 It is based on, you know, conversations over a  
22 period of years and specific things. But it is just --  
23 I don't know how to put it any better. That's pretty  
24 much it.

25 Nothing I heard ever contradicted that viewpoint

1 with the exception of Sheila Harkins. And she is a  
2 special case. Don't ask me why she supported it. I  
3 don't know.

4 But the rest of them to greater or lesser degree,  
5 it was all part and parcel of their entire world view  
6 that, you know, we got God here, we got Satan here, and  
7 you are working for one or the other. And there is  
8 nothing in between.

9 Q. Okay. But in fairness to them, Jeff, is that a  
10 connection that you are making, that is an inference you  
11 are drawing based on what you perceived?

12 A. I mean I have heard -- they have discussed religion with  
13 me. I mean nothing -- and that is their religious view,  
14 yes. They do believe, you know, everything that happens  
15 in the world is either a direct intervention by God or  
16 by Satan. And we are basically puppets on a stage.

17 I have heard -- good Lord, who was it that said  
18 that? I guess it was Alan. Yes, it was. It came  
19 across as I'm protecting Alan. I keep finding more  
20 things and saying there isn't anything there.

21 Alan had a discussion with me on religion one  
22 night, and that pretty much conveyed exactly what I just  
23 said. This is how the world works, and this is how it  
24 is. And that, you know, what is happening anywhere, any  
25 time is either one or the other.



1           And I don't believe -- it sticks in my mind that  
2           he was of the opinion that the world is going to end  
3           very shortly. Bill Buckingham is pretty much of that  
4           opinion also -- or not pretty much. He is of that  
5           opinion. What am I saying?

6           I am rambling because I am rambling through my own  
7           thoughts here and trying to bring up more of this stuff.  
8           I have this basis for belief. And to be honest with  
9           you, I have never really torn it apart and figured out  
10          where it all came from. It's just there. It was the  
11          atmosphere of that Board. Very much a Fundamentalist  
12          end of times kind of mentality, and it permeated a lot  
13          of things.

14       Q.    Let me ask you, Jeff, you have mentioned the discussions  
15           involving religion with Alan Bonsell. Did you have a  
16           lot of discussions with Alan about religion?

17       A.    I remember that one. Well, he knew I was a Sunday  
18           schoolteacher. And the truth is religion fascinates me.  
19           Furthermore, you know, I don't -- I don't make -- I  
20           don't have a problem with anybody's religious beliefs as  
21           long as they let me have mine.

22           At that point in time, I felt there was room in  
23           the world for his and mine both. I guess toward the end  
24           of my tenure on the Board, I was increasingly getting  
25           the feeling the world just wasn't big enough for me and

1           them both.

2   Q.    Let me ask you the discussion you reference, I think you  
3           said it happened at night. Was it on the phone or in  
4           person?

5   A.    In person.

6   Q.    Where was it?

7   A.    It was at one of the -- it wasn't at the 56 building  
8           where we normally meet. It was at Leib Elementary  
9           School. So it would not have been in 2004. It would  
10          have been before that because we did not meet at Leib in  
11          2004.

12   Q.    You said religion fascinates you. Can you tell me how  
13          it came up? How did you guys start talking about  
14          religious beliefs?

15   A.    I don't remember. I honestly don't. I remember some of  
16          the points he made that he believed. Of course being  
17          human, I remembered the ones that I thought were the  
18          goofiest. If I made any, I'm sure he remembered the  
19          ones he thought were goofy, too. It was just there.

20                Like I said, there is no smoking gun. I haven't  
21          got the signed document. This is just my impression  
22          based on having worked with these people and known them,  
23          and known them more than just professionally. I guess  
24          like I said, I considered them friends.

25                And I think that is one of the things that really

1 had something to do with the resignation was the fact  
2 that I am seeing people that I consider friends turning  
3 against me because I don't happen to believe their  
4 particular version of Christianity. That bothered me.  
5 It still does.

6 Q. Let me ask you discussions about religion with Sheila  
7 Harkins, you ever discuss it with her?

8 A. Yeah. Never had a problem. Sheila is a Quaker. Loved  
9 them. They were good. No problem. Sheila is very open  
10 minded on religion. Quakers are.

11 That is why I keep definitely putting Sheila  
12 outside of this. I don't feel that this was any sort  
13 of -- I don't think -- I will put it this way: If  
14 religion had anything to do with Sheila's backing this,  
15 it was a different take on religion than the rest of  
16 them. The rest of them I consider Fundamentalists.

17 They don't all go to the same church, but the  
18 churches they go to are all pretty much the same stripe.  
19 And their approach toward religion is very much -- well,  
20 it's what I would call neo-Fascist. The minister is  
21 basically going to tell you how it is going to be, and  
22 you are going to say amen, and that is what it is going  
23 to be. You don't have that kind of give and take that I  
24 am used to in my church and then apparently is quite  
25 prevalent in the Quaker faith as well.

1           Sheila and I had no problems on religion. We  
2           could disagree all day, and nobody was going to hell  
3           over it.

4   Q.   What I am just getting at is did you discuss your  
5           religious convictions and hers with Sheila just in your  
6           communications with her over the years?

7   A.   Right, yes.

8   Q.   How about Jane Cleaver, did you do the same?

9   A.   She discussed hers. I did not discuss mine. Jane is a  
10          very nice lady, and I was afraid it would offend her. I  
11          didn't agree with her on everything.

12                The truth is the only one that I really discussed  
13          them in depth with was Sheila because I felt I could  
14          without offending them, without convincing them that,  
15          you know, this guy thinks he is on God's side, and he is  
16          going to hell.

17   Q.   How about Heather Geesey, ever have any discussions with  
18          her --

19   A.   No.

20   Q.   -- with respect to religious beliefs?

21   A.   Not really. She made statements -- numerous statements  
22          that indicated to me, for one thing, she went to the  
23          same church as Alan. They were that same basic  
24          background. And various things.

25                I got the impression from Heather that we really

1 wouldn't have much to talk about, but I didn't ever try.

2 Q. How about Noel Wenrich?

3 A. Not really, no. Noel and I basically agreed to disagree  
4 on religion. Just like we have in politics. He still  
5 has a Bush sticker on his car. That is pathetic.

6 Q. How about Angie Yingling, had any discussions with Angie  
7 about religion?

8 A. You don't discuss anything in depth with Angie. I don't  
9 think we discussed religion other than, you know -- not  
10 in the same sense that I discussed it say with Sheila or  
11 Casey for that matter. We have discussions. But no, I  
12 don't think so.

13 Angie has made a few statements I go to church, I  
14 believe in God, I am not an atheist. That's cool. I  
15 just don't get into it with her.

16 Q. I mean was there any time in any of these discussions  
17 where you just said to any of these people I have just  
18 gone through their names, Alan, or Sheila, or Noel, or  
19 Angie or Jane I would really rather not talk about it?

20 A. No, no.

21 Q. Why was that? Was it because as you say religion  
22 fascinated you, or it was just part of getting to know  
23 the person?

24 A. It meant something to them. My dad loves race cars. I  
25 can't imagine what is exciting about watching a bunch of

1 white guys driving around in a circle. He loves them.

2 I sit there very politely, and I listen when he  
3 talks about his passion. I am good at this. I can do  
4 it.

5 I don't know. It never occurred to me to say no,  
6 I wouldn't want to talk about this.

7 Q. How about in the period since your resignation, have you  
8 talked with any of the biology teachers about the matter  
9 of the biology curriculum change?

10 A. No.

11 Q. Or its implementation?

12 A. I have had a few social exchanges with Bert Spahr, but  
13 that is it. Nothing about it.

14 Q. It is evident as a Board member, you had reservations  
15 about this whole curriculum change. I think you have  
16 explained that that is because you saw Intelligent  
17 Design Theory as religious. Is that accurate, Jeff?

18 A. Yes. I also saw it as leading to litigation. That was  
19 a concern. It was both. But to be honest with you, it  
20 was more the -- as a School Board member, guardian of  
21 the taxpayers' dollars, the money aspect was very  
22 important to me.

23 But on a personal level, far more the fact that I  
24 felt -- I felt personally threatened from the standpoint  
25 of -- that my religious beliefs were essentially being

1           marginalized. Basically, I thought they were -- their  
2           religious views were very exclusive and that I was being  
3           basically -- I don't know. I felt threatened to some  
4           degree.

5   Q.    Let me get a better sense for that. You say religious  
6           beliefs being marginalized. What beliefs are you  
7           referring to?

8   A.    The fact that I don't have a problem with a God who  
9           would create a universe through Evolution. It seems  
10          logical and sensible to me. I have no idea if he did.  
11          It seems like the evidence points that way. I am not  
12          going -- but I don't have a problem with it.

13                I got the impression from them that this was  
14                incompatible, that you could not, that the price tag for  
15                Christianity was believing that every word in the book  
16                of Genesis was literally true. I don't. I think it is  
17                a bunch of parables.

18                I felt very threatened by that as though to say  
19                you are not really a Christian then. It is like then  
20                what am I? Give me a new label I guess. I didn't like  
21                getting kicked out of my church just because I didn't  
22                believe what they did.

23                That is the way I felt. I felt like I was being  
24                increasingly pushed into a set of views I don't hold,  
25                and that was the going price tag for getting in the